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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,716	01/12/2004	Razmik Hakobyan	1891.2002-001	9774

7590 08/11/2008  
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EXAMINER
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HUYNH, NAM TRUNG

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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08/11/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/755,716	<b>Applicant(s)</b> HAKOBYAN ET AL.	
	<b>Examiner</b> NAM HUYNH	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 4 is/are rejected.
- 7) ☐ Claim(s) 5-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to amendment filed on 4/29/2008. Of the previously presented claims 1-11, claims 4-10 have been amended and claims 1-3 have been cancelled.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by Kloos et al. (US 2004/0120304) (hereinafter Kloos).

Regarding claim 4, Kloos teaches the method for transmitting and receiving the information with low Bit Error Rate (BER) in the presence of interference wherein the unique address of the station, also referred to hereinafter as "Unique Address Code" (UAC) (station identification) (pilot) and the unique code used to encode the information "1" bits, also referred to hereinafter as "Encoded Information Group" (EIG) (serial bit stream) are assigned to each station; the Unique Address Code (UAC) is represented as a binary code, the information is transmitted digitally, each information "1" bit is converted into an Encoded Information Group (EIG) of bits, the Encoded Information

Group (EIG) is comprised of a sequence of regularly interchanging "1" and "0" bits with different durations; the Unique Address Code (UAC) signal is a pilot signal and is continually transmitted during the time interval while the information is transmitted; the information signal is placed in the Unique Address Code (UAC) and in the time intervals where the Unique Address Code bits have a "0" value; the Unique Address Code (UAC) and the information are transmitted on the same clock rate and the same carrier frequency, for transmitting and receiving the information in the simplex (one way) operation (broadcast) between a base station and subscribers stations comprising (paragraphs 42, 48, 50; figure 18):

the receiver device of the subscriber station that receives the information is tuned-in to the Unique Address Code (UAC) as well as to the Encoded Information Group (EIG) of the base station; the receiver device of the subscriber station attempts to detect the Unique Address Code (UAC) of the base station; the Number of Continuous Clock Rate Periods, also referred to hereinafter as (NCCRP) (frequency), of the Reference Signal, also referred to hereinafter as Reference Signal (RS), that continually match that of the incoming signal acts as criterion for Unique Address Code detection, the Reference Signal (RS) is generated in the receiver device of the subscriber station and acts as a copy of the Unique Address Code (UAC) of the base station; and a match of the Reference Signal (RS) with the incoming signal is achieved if this match occurs with each of the "1" bits of the Reference Signal (RS), a match can either be perfect or imperfect, a perfect match is when the Reference Signal (RS) matches exactly the Incoming signal by phase, an imperfect match is when there is a time delay between the

two signals and where such delay is not greater than the duration of "1" bit of the Reference Signal (RS) (paragraphs 5, 50-52, 92-96).

### ***Allowable Subject Matter***

3. Claims 5-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 4-11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAM HUYNH whose telephone number is (571)272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

NTH  
8/1/08